

REMARKS

This is in response to the Final Office Action dated July 8, 2010. With this response, claims 1, 9, 24, and 30 are amended and all pending claims 1-11 and 24-35 are presented for reconsideration and favorable action.

The Office Action noted typographical errors in 1, 9 and 24. Those have been corrected and the objection set forth in paragraph 3 may be withdrawn.

The claims were rejected based upon Stafford US5763118 in view of Izaki US2002/0113685 and further in view of Maggert et al. US6724170. However, it is believed the rejection may be withdrawn.

The pending claims describe a battery pack having electrical leads which couple the storage cells to an intrinsically safe hand held instrument. The cited references do not show the claimed invention in the context of all of the claimed elements.

It is believed that all of the pending claims have been addressed. However, the absence of a reply to a specific rejection, issue, or comment, including the Office Action's characterizations of the art, does not signify agreement with or concession of that rejection, issue, or comment. In addition, because the arguments made above may not be exhaustive, there may be reasons for patentability of any or all pending claims (or other claims) that have not been expressed. Finally, nothing in this paper should be construed as an intent to concede any issue with regard to any claim, except as specifically stated in this paper, and the amendment or cancellation of any claim does not necessarily signify concession of unpatentability of the claim prior to its amendment or cancellation. Applicant reserves the right to prosecute the rejection claims in further prosecution of this or related applications.

In view of the above amendments and remarks, it is believed that the present application is in condition for allowance. Consideration and favorable action are respectfully requested.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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